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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,467	07/07/2003	Joseph W. Prenn	1128.017	9336

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ROGITZ & ASSOCIATES
750 B STREET
SUITE 3120
SAN DIEGO, CA 92101

EXAMINER

YIP, WINNIE S

ART UNIT	PAPER NUMBER
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3636

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/615,467	Applicant(s) PRENN ET AL.	
	Examiner Winnie Yip	Art Unit 3636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7-9, 11, 13-17, 19-25 and 27 is/are pending in the application.
- 4a) Of the above claim(s) 21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 4, 7-9, 13, 14, 16, 17, 19, 20, 22, 24, 25 and 27 is/are rejected.
- 7) ☒ Claim(s) 2, 11, 15, 20 and 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Part II DETAILED ACTION

This office action is in response to applicant's amendment filed on August 8, 2005.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 21 stand withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected specie, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on March 29, 2005 since applicant did not distinctly and specifically point out the supposed errors in the restriction requirement (MPEP § 818.03(a)).

Claim Rejections - 35 USC § 112

1. Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In this claim, the cited language “the power supply also supplying power to move the elements at a second input voltage of about two hundred seventy volts (270V)” is confusing. It is not clear whether or not the second input voltage is a voltage changed after the first input voltage being supplied in order to move the elements? It appears inconsistent the body of the claimed invention as described in the specification. According to the specification, the power supply to supply the DC power to the motor at an AC voltages input in either a first voltage input of about 100V or a second input voltage of about 270V, but not both. Clarification is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 7-9, and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Zhang et al. (US Patent No. 6,528,782).

Zhang et al. show and teach a skylight (100) comprising at least one light conveying structure (105) having an upper end covered by a dome shaped transparent cover (160), a lower end covered by a ceiling-mounted diffuser cover (130), and a tubular element extending therebetween, the tubular element formed by a plurality of tubular sections coaxially coupled together, a shroud engaged with the light conveying structure and defining a light passageway (105), and the shroud having a shutter (200) mounted therein, the shutter (200) including a butterfly valve (202) having first and second valve elements (two side flaps (1320) (see Figs. 5 and 13b) turn on a shaft (1329) which is pivotable about a shaft an axle (204) within the shroud, the shaft (1329) extending outward through the shroud and operated by an actuator (201) to be moved between an open configuration in which the light passageway is open, and a closed configuration in which the light is blocked, the actuator (201) actuated by either manually controlled electrical switch or automatically controlled wirelessly remove control, and a power supply to supply AC power in a supply voltage to operate the shutter actuator (see col. 24, lines

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18-59, and Fig. 2a); wherein the AC power is operated to supply power at a voltage inherently either about 110 voltage or 240 voltage as in the range from about 100V to about 240V as claimed, and wherein a mechanical control (430) is either operated by a remote control (480) or simply employed by an off-on switch (456), and manually controlled rheostat (457), the shutter actuator may include an electric motor to drive reduction gear train (1310) which includes a rack gear (1312) and a pinion with a cam (1314, see Fig. 13b) to reduce a speed of rotation of the motor to an operating speed of the gear train shaft (1329) or may be applied by electrical control circuit, and the pinion/cam (1314) coupling the gear train shaft (1329) to the valve elements (1320) to transform about 180 degrees of rotation of the gear train shaft to the rotation of the valves about 90 degrees.

Claim Rejections - 35 USC § 103

4. Claims 13-14, 17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang et al. '782 in view of further in view of Hirose (US Patent No. 6,947,296).

Zhang et al. show and teach a skylight (100) comprising at least one light conveying structure (105) having an upper end covered by a dome shaped transparent cover (160), a lower end covered by a ceiling-mounted diffuser cover (130), and a tubular element extending therebetween, the tubular element formed by a plurality of tubular sections coaxially coupled together, a shroud engaged with the light conveying structure and defining a light passageway (105), and the shroud having a shutter (200) mounted therein, the shutter (200) including a butterfly valve (202) having first and second valve elements (two side flaps (1320) (see Figs. 5 and 13b) turn on a shaft (1329) which is pivotable about a shaft an axle (204) within the shroud, the shaft (1329) extending outward through the shroud and operated by an actuator (201) to be

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moved between an open configuration in which the light passageway is open, and a closed configuration in which the light is blocked, the actuator (201) actuated by either manually controlled electrical switch or automatically controlled wirelessly remove control, and a power supply to supply AC power in a supply voltage to operate the shutter actuator (see col. 24, lines 18-59, and Fig. 2a); wherein a mechanical control (430) is either operated by a remote control (480) or simply employed by an off-on switch (456), and manually controlled rheostat (457), the shutter actuator may include an electric motor to drive reduction gear train (1310) which includes a rack gear (1312) and a pinion with a cam (1314, see Fig. 13b) to reduce a speed of rotation of the motor to an operating speed of the gear train shaft (1329) or may be applied by electrical control circuit, and the pinion/cam (1314) coupling the gear train shaft (1329) to the valve elements (1320) to transform a suitable degrees of rotation of the gear train shaft to the rotation of the valves. Although Zhang et al. does not define the power supply operating to supply DC power to the motor at a first AC input voltage of about 100V or at a second voltage about 270V as claimed, Hirosawa teaches, as known in the art, a switching power supply control circuit used for electronic device comprising a switching control range with transformers for worldwide use to automatically switch the AC voltage input in the range including a first input voltage of about 100V (90V-132V) or a second input voltage about AC 270V used in different countries to supply DC power to operate the device (see col. 7, lines 34-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the control system of Zhang et al. having a switching power supply control circuit with transformers as taught by Hirosawa to provide an universal power supply system having power supply operating to supply DC power to a device at AC power voltages input in the range about 100V-270V in different country systems.

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5. Claims 3-4, 24-25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zheng et al. '782 as applied to claims 1 and 22 above, and further in view of Knecht (US Patent No. 3,070,345).

The claims are considered to meet by Zheng et al. as applied and supplied above rejections except that Zheng et al. does not define the shroud being separately mounted from the light conveying structure and has a height less than the diameter of the valve elements as claimed. Knecht teaches a shroud (1) being separately mounted in a tubular member/pipe member, the shroud (1) having valve elements (2a, 2b) pivotally connected to shroud, the shroud having a height less than the diameter of the valve elements, and the shroud being formed with a lip (10) circumscribing an inner surface of the shroud for supporting and abutting the movement of the valve elements. It would have been obvious to one ordinary skill in the art to modify the skylight of Zheng et al. having the shutter being formed with a shroud having a height less than a diameter of the valve elements and having a lip circumscribing an inner surface of the shroud for supporting and abutting the valve elements as taught by Knecht for reducing constructional weight and easily to separately mount the shroud on the light conveying structure in a lightweight manner.

6. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zheng et al. '782 in view of Hirose '296 as applied to claims 13-14 above, and further in view of Knecht '345 for the same reasons set forth above rejection.

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Allowable Subject Matter

7. Claims 2, 11, 15, 20 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Argument

8. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground of rejection.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ashok '103 also teaches a universal power supply control system having a switch control circuit used for a power supply at AC voltages input in a range for different countries. Japanese Patent 2003-64831 teaches a skylight having a valve element mean being actuated by an operating control including a reduction gear train and power supply as similar to the claimed invention.

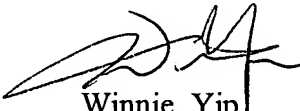
Inquiry Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Winnie Yip whose telephone number is 571-272-6870. The examiner can normally be reached on M-F (9:30-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Winnie Yip
Primary Examiner
Art Unit 3636

wsy

October 31, 2005